



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

October 20, 2008

223805

VIA E-FILING

Ms. Anne K. Quinlan, Secretary
Surface Transportation Board
395 E Street S.W., Room #1149
Washington, D.C. 20024

**Re: Proposed Abandonment of the Chesterville Industrial Lead
from M. P. 52.9 near Chesterville to M. P. 61.2 near Eagle
Lake, a distance of 8.3 miles in Colorado and Wharton
Counties, Texas; STB Docket No. AB-33 (Sub-No. 253X)**

Dear Ms. Quinlan:

The Union Pacific Railroad Company, ("Union Pacific"), has received a request from Fritz R. Kahn, the attorney for The Metropolitan Transit Authority of Harris County, Texas, ("MTA"), for a further extension of the Notice of Interim Trail Use regarding that portion of the Union Pacific's right-of-way known as the Chesterville Industrial Lead extending between Milepost 52.9 near Chesterville and Milepost 61.2 near Eagle Lake, a distance of a distance of 8.3 miles in Colorado and Wharton Counties, Texas. A copy of Mr. Kahn's October 17, 2008 letter is attached for your reference.

The Union Pacific concurs with Mr. Kahn's e-filing of October 17, 2008 and is willing to extend the NITU negotiating period to December 31, 2008.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a horizontal line.

Attachment

cc: Fritz R. Kahn, Esq.
Alva Trevino
Cassie B. Stinson, Esq.

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LAW OFFICES
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October 17, 2008

VIA ELECTRONIC FILING

Hon. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Dear Secretary Quinlan:

This refers to STB Docket No. AB-33 (Sub-No. 253X), Union Pacific Railroad Company--Abandonment Exemption--in Colorado and Wharton Counties, TX and to the Board's Decision, served September 15, 2008, extending the NITU negotiating period to October 31, 2008.

Hurricane Ike which devastated the Galveston and Houston areas the middle of last month proved to be extremely disruptive for the Metropolitan Transit Authority of Harris County, TX ("METRO") rendering it impossible for METRO to provide its regularly scheduled transit service for several weeks.

While concluding the interim trail/rail banking agreement with the Union Pacific Railroad Company ("UP") is important to METRO, upper management has been obliged to concentrate exclusively on operational issues during the past month. METRO, accordingly, respectfully requests a further extension of the negotiating period to December 31, 2008.

I am authorized to state that UP concurs in the extension request.

I certify that I have served a copy of this letter upon UP by e-mailing a copy to its counsel

Sincerely yours,


Fritz R. Kahn

cc: Mack H. Shumate Jr., Esq.
Ms Alva Trevino
Cassie B. Stinson, Esq.